

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: MURDO BLACK ET AL.  
 Filed: CONCURRENTLY HEREWITH  
 For: TEST DEVICE  
 Serial No.: UNKNOWN  
 International Application No.: PCT/GB99/03004  
 International Filing Date: 27 SEPTEMBER 1999  
 Group Art Unit: UNKNOWN  
 Examiner: UNKNOWN  
 Atty Dkt: DUMM:009US

NUMBER: EV044386353US  
 I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service, postage prepaid, under 37 CFR 1.10 on the date indicated above and is address to: Assistant Commissioner of Patents, Washington, D.C. 20231.  
 Signature: Marty Brown Date: 3.25.02

SUBMISSION TO ENTER THE NATIONAL STAGE UNDER 35 U.S.C. 371

Assistant Commissioner for Patents  
 Washington, DC 20231

Dear Sir:

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.

5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ from the published International Application is transmitted herewith as Attachment A for the convenience of the Office (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 317(c)(2)).
7. ☐ Amendments to claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) 35 U.S.C. 371(c)(4)).
10. ☐ a translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 16 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment to the claims of the International Application as amended under PCT Article 34. Please enter the claim amendments made to the International Application under PCT Article 34.
 

☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
 

For the convenience of the Office:  
 Copy of Published International Application (Attachment "A")  
 Copy of Claims as amended Under Article 34 (Attachment "B")
17. ☒ The following fees are submitted:

## BASIC NATIONAL FEE (37 CFR 1.492(a) (1) – (5)):

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO..... \$ 0.00

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO..... \$ 890.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but International search fee (37 CFR 1.445(a)(2)) paid to USPTO..... \$ 0.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
but all claims did not satisfy provisions of PCT Article 33(10)-(4)..... \$ 0.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
and all claims satisfied provisions of PCT Article 33(1)-(4)..... \$ 0.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$890.00

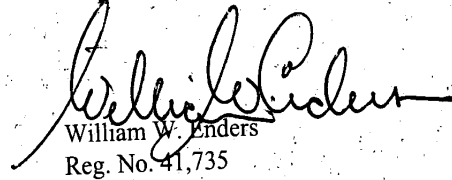
## FEE CALCULATION:

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	Total Claims (37 CFR 1.492(c))	<u>16</u> - 20 =	0	x \$ 18.00	\$
	Independent Claims (37 CFR 1.492(b))	<u>1</u> - 3 =	1	x \$ 84.00	\$
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.492(d))			x \$ 260.00	\$
				Basic Fee (from above)	\$ 890.00
				Total of above Calculations =	\$
	Reduction by 50% for filing by Small Entity (Note: 37 CFR 1.9, 1.27, 1.28)				\$
	Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 29 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				
	Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				
	TOTAL NATIONAL FEE =				\$ 890.00
	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) \$40.00 per property.				\$
	TOTAL FEES ENCLOSED =				\$890.00

- a. ☒ A check in the amount of \$890.00 to cover the above fees is enclosed.
- b. ☒ If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. 1.492, or under 37 CFR §1.16 to 1.21 be required for any reason, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to O'Keefe, Egan & Peterman Deposit Account No. 10-1205/DUMM:009US.
- c. ☒ In accordance with 37 CFR 1.136(a)(3), the Commissioner is authorized to treat any concurrent or future reply that requires a petition for an extension of time under 37 CFR 1.126(a) to be timely, as incorporating a petition for extension of time for the appropriate length of time, and the Commissioner is authorized to deduct any requisite extension of time fees under 37 CFR 1.16 to 1.21 from Deposit Account No. 10-1205.

Please forward all correspondence to the undersigned at the address below.

Respectfully submitted,

  
William W. Enders  
Reg. No. 41,735

Attorney for Applicants

O'KEEFE, EGAN & PETERMAN  
1101 Capital of Texas Highway South  
Building C, Suite 200  
Austin, TX 78746  
(512) 347-1611  
(512) 347-1615 (FAX)